

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, February 9, 2015

CASE NUMBER: C15-2014-0171

____ Jeff Jack - Chair
____ Michael Von Ohlen
____ Melissa Whaley Hawthorne - Vice Chair
____ Sallie Burchett
____ Ricardo De Camps
____ Brian King
____ Vincent Harding
____ Will Schnier - Alternate
____ Stuart Hampton - Alternate

OWNER/APPLICANT: Gregory Millard
ADDRESS: 1604 WEST LN

VARIANCE REQUESTED: The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

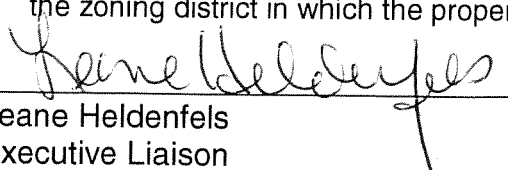
- A. decrease the front yard setback from 40 feet (required) to 15 feet (requested) and;
B. decrease minimum lot width from 100 feet (required) to 40 feet (requested)
in order to construct a single family home in a "LA", Lake Austin zoning district.

BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to January 12, 2015, Board Member Sallie Burchett second on a 7-0 vote; POSTPONED TO January 12, 2015. Jan 12, 2015 POSTPONED TO February 9, 2015 AT THE APPLICANT'S REQUEST; FEB 9, 2015 FEB 9, 2015 POSTPONED TO March 9, 2015 AT THE APPLICANT'S REQUEST

RENOTIFICATION REQUEST: The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to: A. decrease the front yard setback from 40 feet (required) to 15 feet (requested); and B. decrease minimum lot width from 100 feet (required) to 48.7 feet (requested); and C. decrease the minimum side setback on north side of lot from 10 feet (required) to 5 feet (requested) in order to construct a single family home in a "LA", Lake Austin zoning district.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

C15-2014-0171

Heldenfels, Leane

From: Millard, Gregory M. ~~Gregory.Millard@austintexas.gov~~>
Sent: Monday, February 16, 2015 1:09 PM
To: Heldenfels, Leane
Subject: RE: 1604 East Lane

Leane,

I hope you enjoyed your weekend. I am going to go ahead and ask for additional impervious cover. Please send out my notice asking for 45% impervious cover. This would be the same as a lot with SF2 zoning.

Here are the measurements you asked for:

40' back: 48.7'
25' back: 45.2'
Street: 39'

I will have a drawing with these measurements early next week.

Please call me when you have a free minute. I really need to get a final decision this month. Thanks for all you help.

Greg Millard
512.848.8231

"Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

Ok – sounds good.

One Board member asked if we had the front setback measurement correct on the notice, he felt that it should say 40', but I told him it was the measurement at the required front setback (so 40 feet into your lot), so you might want to get me one more drawing that shows the width at the street, at 25' setback and at 40' setback and then I'll include the measurement section of the ordinance below to clarify this issue for them on this curved lot –

Leane

25-1-22 - MEASUREMENTS.

(A)

Lot area is the net horizontal area within the lot lines, excluding the portion of the lot:

(1)

that provides street access, if the lot is a flag lot; or

(2)

that is located below 492.8 feet of elevation above sea level, if the lot is adjacent to Lake Austin.

(B)

Lot depth is the horizontal distance between the mid-point of the front lot line and the midpoint of the rear lot line.

(C)

Except as otherwise provided in this title, lot width is measured at the front setback line and at a distance of 50 feet to the rear of the front setback line.

(D)

In determining required yards and setbacks for an irregularly shaped lot or a lot bounded by only three lot lines, the rear lot line is:

(1)

a line ten feet long;

(2)

parallel to the front lot line; and

(3)

at the most distant location from the front lot line.

(E)

A distance from a structure to a line or location is measured from the exterior face of the nearest wall or vertical support of the structure to the line or location. For a structure that does not have a wall or vertical support, the building official shall determine the point of measurement.

Source: Sections 13-2-1, 13-2-602, and 13-2-603; Ord. 990225-70; Ord. 031211-11.

From: Millard, Gregory M. [~~mailto:Gregory.M.Millard@cityoflosangeles.org~~]
Sent: Friday, February 13, 2015 9:52 AM
To: Heldenfels, Leane
Subject: RE: 1604 East Lane

Leane,

Everything has been figured out. It is my understanding that the current LA zoning on my lot (Platted before 1982) allows me 35% impervious cover. As long as that is the case I am ready to go forward with the same notice you sent out last time. Sorry for the confusion and delay. I will have you new materials by the 25th. Thanks.

C15-2014-0171

© Copyright 2014

LEGAL DESCRIPTION
LOT 8, LAKE AUSTIN VILLAGE,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT OF
RECORD IN VOLUME 19,
PAGE 88 OF THE PLAT
RECORDS OF TRAVIS
COUNTY, TEXAS

State of Texas:
County of Travis:

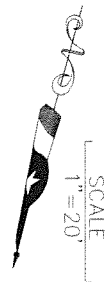
The undersigned does hereby
certify that this survey was
this day made on the property
legally described hereon and is
correct, and this survey complies
with the current Texas Society
of Professional Surveyors
Standards and Specifications for
a Category 1B & 5 Condition II survey.

And I certify that the property shown
hereon IS NOT within a special

flood hazard area as identified by the
Federal Insurance Adm. Department of
HUD Flood hazard boundary map
revised as per Map Number 4845300410H
Zone: X Dated 09/26/08

Survey Dated: August 8, 2014

Waterloo Surveyors Inc. J14187
SURVEY PLAT

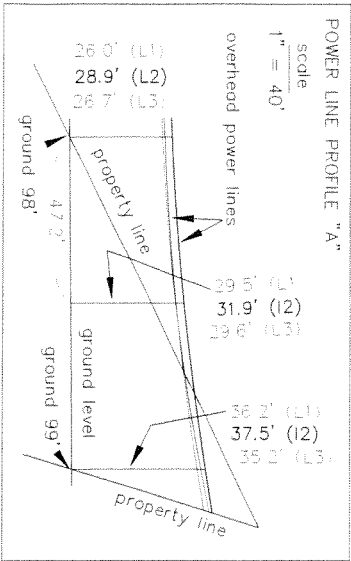


IMPERVIOUS AREA'S	
TOTAL SLAB	1600
PATIO	111
SIDEWALK	158
DRIVEWAY	408
TOTAL	2286

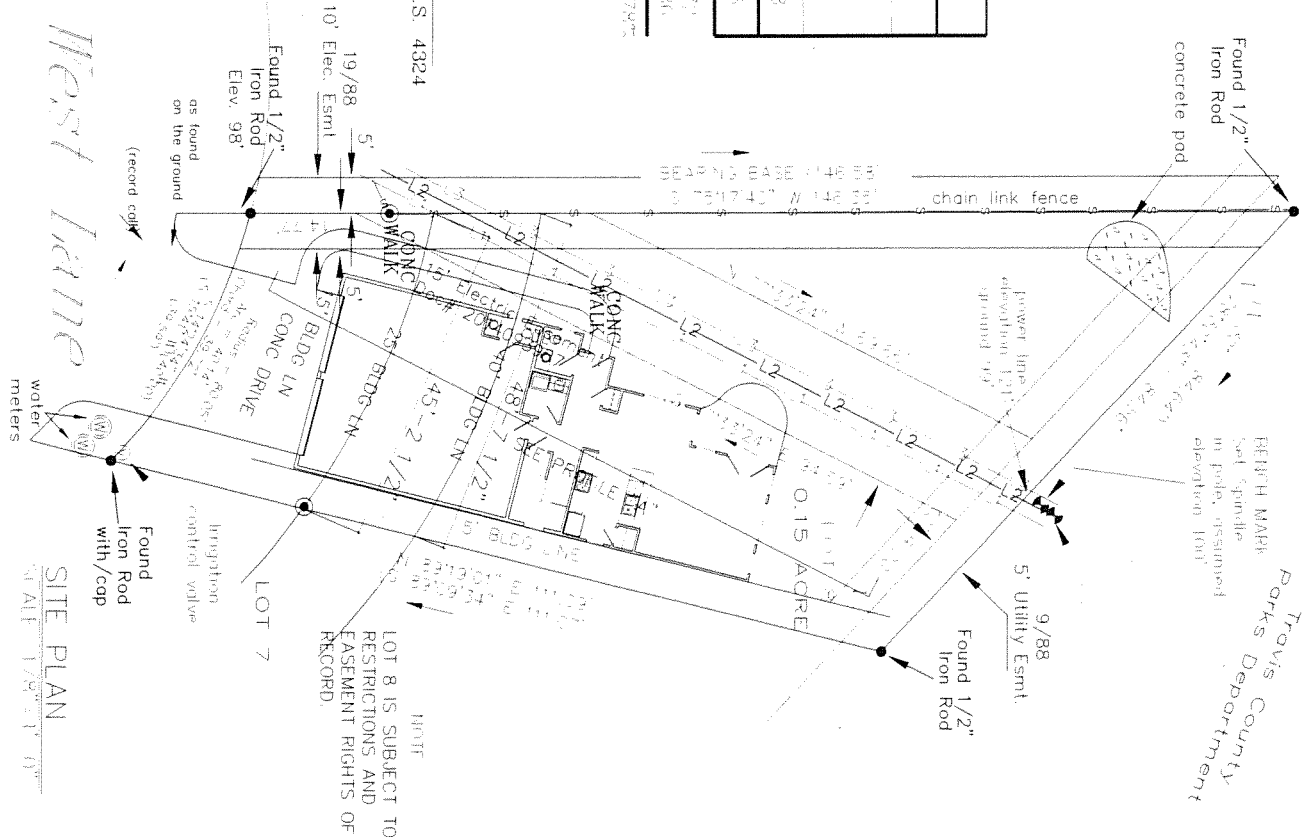
TOTAL LOT AREA	6572
TOTAL IMPERVIOUS	2286
IMPERVIOUS PER	34.78%

Thomas P. Dixon R.P.L.S. 4324

LOT 8 IS SUBJECT TO
RESTRICTIONS AND EASEMENT
RIGHTS OF RECORD



www.WaterlooSurveyors.com - Austin, Texas - (512)481-9602



Travis County
Parks Department
RIGHT MARK
Set 9/11/88
in pole, assumed
elevation 100'

West Lane
SITE PLAN
SCALE 1/8" = 1' 0"

WEST LANE
LOT 8
LAKE AUSTIN
VILLAGE

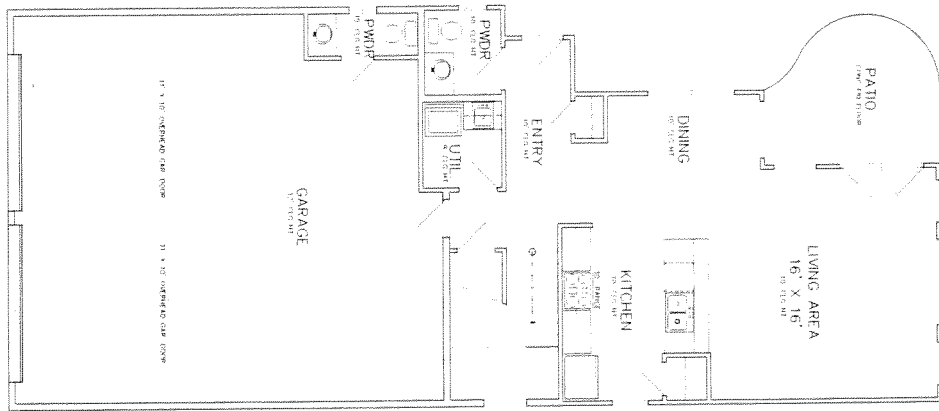
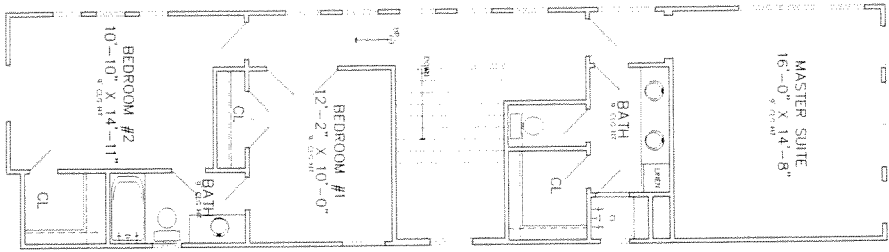
DESIGN ORIGINALS of Texas
home design center

10113 RR N 420 STE. 315
AUSTIN TX 78754
OFFICE 512.351.1775

MILLARD
RESIDENCE

JOB #4811
DATE 02/23/15
REVISION
DRAWN BY: JCDMS

1 OF 2



NOTES:
1. All dimensions are in feet and inches.
2. All dimensions are to the center of the wall unless otherwise noted.
3. All dimensions are to the finished surface unless otherwise noted.
4. All dimensions are to the center of the door unless otherwise noted.
5. All dimensions are to the center of the window unless otherwise noted.
6. All dimensions are to the center of the stair unless otherwise noted.
7. All dimensions are to the center of the landing unless otherwise noted.
8. All dimensions are to the center of the balcony unless otherwise noted.
9. All dimensions are to the center of the terrace unless otherwise noted.
10. All dimensions are to the center of the driveway unless otherwise noted.

- 1. All dimensions are in feet and inches.
- 2. All dimensions are to the center of the wall unless otherwise noted.
- 3. All dimensions are to the finished surface unless otherwise noted.
- 4. All dimensions are to the center of the door unless otherwise noted.
- 5. All dimensions are to the center of the window unless otherwise noted.
- 6. All dimensions are to the center of the stair unless otherwise noted.
- 7. All dimensions are to the center of the landing unless otherwise noted.
- 8. All dimensions are to the center of the balcony unless otherwise noted.
- 9. All dimensions are to the center of the terrace unless otherwise noted.
- 10. All dimensions are to the center of the driveway unless otherwise noted.

SYMBOL LEGEND

CL	CL	CL	CL
CL	CL	CL	CL
CL	CL	CL	CL
CL	CL	CL	CL

AREA'S	
FIRST FLOOR	77A
SECOND FLOOR	9A
TOTAL FLOOR	170A
GARAGE	8A
TOTAL COVERED	154A
PATIO	11A

FIRST-SECOND FLOOR

SCALE: 1/4" = 1'-0"

MILLARD RESIDENCE

DESIGN ORIGINALS of Texas
home design center

WEST LANE
LOT 8
LAKE AUSTIN
VILLAGE

JOB # 0011
DATE 07-23-15
REVISION
DRAWN BY JAMES

2 OF 2

Heldenfels, Leane

From: Millard, Gregory M. ~~<Gregory.M.Millard@usdoj.gov>~~
Sent: Friday, February 06, 2015 5:26 PM
To: Heldenfels, Leane
Subject: RE: 1604 East Lane

Leane,

I spoke to my wife and my builder and decided I need to ask for an extension based on the newly discovered information. Just let me know what I need to do on Monday. I will be ready for the March meeting.

Gregory Millard
Group Supervisor, D69
Drug Enforcement Administration
Austin Resident Office
Ofc. 512-344-4931
Cell. 512-848-8231
Fax 512-344-4906

From: Millard, Gregory M.
Sent: Wednesday, February 04, 2015 3:34 PM
To: 'Heldenfels, Leane'
Subject: RE: 1604 East Lane

I will have an answer for you by Friday. We may revise to a smaller footprint and go forward. Thanks again.

Greg M.

From: Heldenfels, Leane [<mailto:Leane.Heldenfels@austintexas.gov>]
Sent: Wednesday, February 04, 2015 3:26 PM
To: Millard, Gregory M.
Subject: RE: 1604 East Lane

Oh my gosh, we have been so snake bit on this somewhat simple, straight forward case!
You don't have to come to the meeting, I'll call it into the record as a postponement based on this info below.
They won't object since it's new info you've uncovered vs. not being prepared, dragging your feet.
My notice deadline for 3/9 hearing will be 3/13 to have it reviewed by my supervisors, etc. so send to me before then if possible. You can submit to me later than that up until 2/23, but after that we'll have to postpone again because the notices have to start being printed out. Packet deadline for revised ap and drawings will be 2/25.
Take care,
Leane

From: Millard, Gregory M. [~~mailto:Gregory.M.Millard@usdoj.gov~~]
Sent: Wednesday, February 04, 2015 9:51 AM
To: Heldenfels, Leane
Subject: 1604 East Lane

C15-2014-0171

Heldenfels, Leane

From: Millard, Gregory M. ~~<Gregory.M.Millard@useo.org>~~
Sent: Wednesday, February 04, 2015 9:51 AM
To: Heldenfels, Leane
Subject: 1604 East Lane

Leane,

I know we are set for Tuesday. I just ran into a big snag. TCAD listed my lot at 7812 sq. ft., however, I just checked with my surveyor and he says it is only 6572.9 sq. ft. This large discrepancy is going to drastically affect my impervious cover requirement because of the LA zoning. With this new discovery may I come on Tuesday and ask the Board for an extension in order to ask for additional impervious cover at the March meeting. The first two extensions were not at my request. Please let me know. Thanks for all your help.

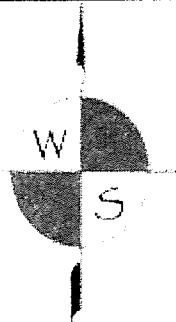
Gregory Millard
Group Supervisor, D69
Drug Enforcement Administration
Austin Resident Office
Ofc. 512-344-4931
Cell. 512-848-8231
Fax 512-344-4906

From: Brad Daniel [<mailto:brad@waterloosurveyors.com>]
Sent: Wednesday, February 04, 2015 9:39 AM
To: Millard, Gregory M.
Subject: RE: survey

Actual SQ.ft = 6572.9

I can update the survey to show that if you need me to. Just let me know.

Brad Daniel | Waterloo Surveyors, Inc. | Operations Manager
(p) 512.481.9602 | (m) 512.569.2442
www.WaterlooSurveyors.com



CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, January 12, 2015

CASE NUMBER: C15-2014-0171

____ Jeff Jack - Chair
____ Michael Von Ohlen
____ Melissa Whaley Hawthorne - Vice Chair
____ Sallie Burchett
____ Ricardo De Camps
____ Brian King
____ Vincent Harding

OWNER/APPLICANT: Gregory Millard
ADDRESS: 1604 WEST LN

VARIANCE REQUESTED: The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

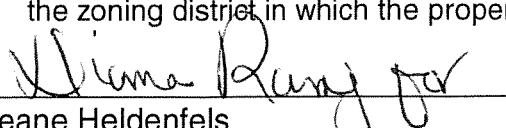
- A. decrease the front yard setback from 40 feet (required) to 15 feet (requested) and;
B. decrease minimum lot width from 100 feet (required) to 40 feet (requested) in order to construct a single family home in a "LA", Lake Austin zoning district.

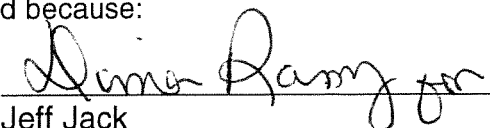
BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to January 12, 2015, Board Member Sallie Burchett second on a 7-0 vote; POSTPONED TO January 12, 2015. Jan 12, 2015 POSTPONED TO February 9, 2015 AT THE APPLICANT'S REQUEST

RENOTIFICATION REQUEST: The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to: A. decrease the front yard setback from 40 feet (required) to 15 feet (requested); and B. decrease minimum lot width from 100 feet (required) to 50 feet (requested); and C. decrease the minimum side setback on north side of lot from 10 feet (required) to 5 feet (requested) in order to construct a single family home in a "LA", Lake Austin zoning district.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

45, 2014-0171

Heldenfels, Leane

From: Millard, Gregory M. <~~Gregory.M.Millard@usdoj.gov~~>
Sent: Tuesday, January 13, 2015 11:15 AM
To: Heldenfels, Leane
Subject: 1604 West Lane

Leane,

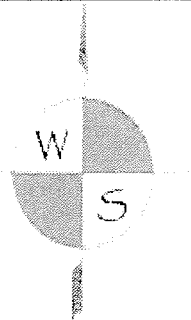
See below. The surveyor looked at the electronic copy of the survey and came up with 48.7'. Should we put 48' to be safe?

Gregory Millard
Group Supervisor, D69
Drug Enforcement Administration
Austin Resident Office
Ofc. 512-344-4931
Cell. 512-848-8231
Fax 512-344-4906

From: Brad Daniel [<mailto:brad@waterloosurveyors.com>]
Sent: Tuesday, January 13, 2015 11:13 AM
To: Millard, Gregory M.
Subject: RE: survey

48.7' on the dot.

Brad Daniel | Waterloo Surveyors, Inc. | Operations Manager
(p) 512.481.9602 | (m) 512.569.2442
www.WaterlooSurveyors.com



From: Millard, Gregory M. [<mailto:Gregory.M.Millard@usdoj.gov>]
Sent: Monday, January 12, 2015 3:18 PM
To: Brad Daniel (brad@waterloosurveyors.com)
Subject: FW: survey

measurement of anchor chisel on lot width 70

Waterloo Surveyors Inc. J14187 **SURVEY PLAT**

LOT 9

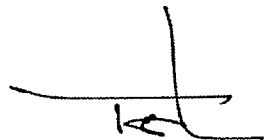
LEGAL DESCRIPTION:
LOT 8, LAKE AUSTIN VILLAGE,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT OF
RECORD IN VOLUME 19,
PAGE 88 OF THE PLAT
RECORDS OF TRAVIS
COUNTY, TEXAS

State of Texas:
County of Travis:

The undersigned does hereby
certify that this survey was
this day made on the property
legally described hereon and is
correct, and this survey complies
with the current Texas Society
of Professional Surveyors
Standards and Specifications for
a Category 1B & 5 Condition II survey.

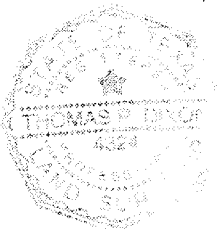
And I certify that the property shown
hereon IS NOT within a special
flood hazard area as identified by the
Federal Insurance Adm. Department of
HUD Flood hazard boundary map
revised as per Map Number 48453C0410H
Zone: X Dated: 09/26/08

Survey Dated: August 8, 2014



Thomas P. Dixon R.P.L.S. 4324

LOT 8 IS SUBJECT TO:
RESTRICTIONS AND EASEMENT
RIGHTS OF RECORD



19/88 5'
10' Elec. Esmt.

Elev. 98'
Found 1/2" Iron Rod
as found on the ground
Radius = 80.05'
Arc = 40.14' (40.00)
Chord = 39.72' (39.59)
S 14°24'34" W
(S 15°41' W)
(record call)

LOT 8
0.15 ACRE

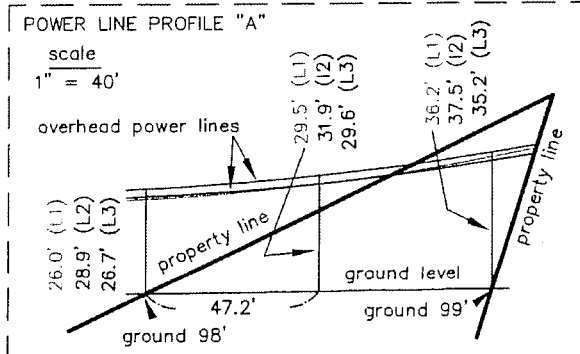
Irrigation control valve

Found Iron Rod with/cap

water meters

West Lane

NOTE:
LOT 8 IS SUBJECT TO
RESTRICTIONS AND
EASEMENT RIGHTS OF
RECORD.



Copyright 2014

maybe
60'
R&D

Heldenfels, Leane

C15-2014-0171
**Staff requests postponement*

From: Millard, Gregory M. <~~Gregory.M.Millard@usdoj.gov~~>
Sent: Friday, January 09, 2015 7:58 PM
To: Heldenfels, Leane
Subject: RE: 1604 West Lane

I will get you a copy of the survey. I am going to see if the survey company can get me an exact measurement of the electronic survey. Give me a couple days. Thanks.

"Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

Well, since it was a curved lot that wouldn't be the width - the width would be the measurement at the front setback of the lot - so 40 feet back from the line drawn between the 2 lot edge points. I think the first month we just used the curve data on the plat, but that would have actually been too small. Will have to send a new notice, sorry. You won't have to be at the meeting because staff will be requesting postponement due to notice error. You feel sure about the

48.75 now?

Thanks -
Leane

-----Original Message-----

From: Millard, Gregory M. [~~mailto:Gregory.M.Millard@usdoj.gov~~]
Sent: Friday, January 09, 2015 3:20 PM
To: Heldenfels, Leane
Subject: RE: 1604 West Lane

Can we just go back to how it was written last month so we know the measurement is right? Last month I took the front lot width right of the survey.

"Heldenfels, Leane" <Leane.Heldenfels@austintexas.gov> wrote:

John McDonald, the Res Review supervisor happened to walk by after we got off the phone and he said would be best to readvertise at 48.75 as long as you're sure now that is the measurement.

Can you send me a non-condensed version of the survey so I can confirm - you can fax it to me, 512-974-6305 if that's any easier - or scan and email.

Sorry - the condensed version I was using was measuring 55, so I thought 50 would certainly be small enough.

Leane

-----Original Message-----

From: Millard, Gregory M. [~~mailto:Gregory.M.Millard@usdoj.gov~~]
Sent: Thursday, January 08, 2015 7:47 PM
To: Heldenfels, Leane
Subject: 1604 West Lane

Leanne,

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
 - appearing and speaking for the record at the public hearing;
- and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2014-0171, 1604 West Lane

Contact: Leane Heldenfels, 512-974-2202

Public Hearing: Board of Adjustment, January 12th, 2015

LINDA HUMPHREY
Your Name (please print)

☒ I am in favor
☐ I object

12811 RIVER BEND RD
Your address(es) affected by this application

Leane Heldenfels
Signature

1/6/15
Date

Daytime Telephone: 512 917-7250

Comments: _____

NOTE: all comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or scan and email to leane.heldenfels@austintexas.gov

PUBLIC HEARING INFORMATION

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- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

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Case Number: C15-2014-0171, 1604 West Lane

Contact: Leane Heldenfels, 512-974-2202

Public Hearing: Board of Adjustment, January 12th, 2015

PHILIP HENDREN

Your Name (please print)

☒ I am in favor
☐ I object

1706 QUINNAN PARK RD, AUSTIN TX 78732

Your address(es) affected by this application

Leane Heldenfels

Signature

1/7/15

Date

Daytime Telephone: 512 656 2742

Comments:

THIS REQUEST IS REASONABLE
GIVEN THE DISADVANTAGE OF
THE LOCATION OF THE OVERHEAD
POWER LINES.

NOTE: all comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or scan and email to leane.heldenfels@austintexas.gov

CASE# C15-2014-0171
ROW# 11249077
TAX# 0127580630

**CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE**

WARNING: Filing of this appeal stops all affected construction activity.

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED
INFORMATION COMPLETED.**

STREET ADDRESS: 1604 West Lane, Austin, Texas 78732

LEGAL DESCRIPTION: Subdivision – Lot 8 Lake Austin Village

Lot(s) 8 Block _____ Outlot _____ Division _____

I We Gregory Millard on behalf of myself/ourselves as authorized agent for

Gregory Millard affirm that on Nov 10, 2014,

hereby apply for a hearing before the Board of Adjustment for consideration to:

**(check appropriate items below and state what portion of the Land Development
Code you are seeking a variance from)**

☒ **ERECT** ☐ **ATTACH** ☐ **COMPLETE** ☐ **REMODEL** ☐ **MAINTAIN**

I am requesting a front setback reduction from 25' to 15', side setback from 10' to 5,

and a front lot width reduction from 50' to 40'. Lot 8 is subject to LA zoning and has energized

overhead powerlines that make the small lot difficult to use the required LA setbacks.

in a LA district.
(zoning district)

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence
supporting the findings described below. Therefore, you must complete each of the applicable
Findings Statements as part of your application. Failure to do so may result in your application
being rejected as incomplete. Please attach any additional support documents.**

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
Lot 8 was platted in 1964 with a 15' front setback, 5' side, 5' rear and a front lot width of 40'. Lot 8 is now zoned LA - 25' front setback, 10' side, 20' rear; additionally, the City of Austin requires a and a 50' minimum lot width. The lot also has overhead powerlines crossing the lot.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

The overhead powerlines combined with the LA setbacks and 50' min front lot width severely limit what structure can be erected on the property. See survey (attachment A) for location of powerlines. Allowing a 15' front setback, 5' side setback and 40' front lot width could make the lot more useable.

- (b) The hardship is not general to the area in which the property is located because:

Lot 8 is the only lot in the subdivision that has the overhaed powerlines running through the middle of the property. I have granted AE an easement for the powerlines. Additionally, I paid AE \$1600 to narrow the profile of the existing powerlines to gain 2' of building space.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Placing a residential structure on Lot 8 with a 15' front setback and 5' side setback will not alter the Character of the neighborhood. There has been no standardization to the development in Lake Austin Village.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

NA

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

NA

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

NA

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NA

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Gregory Millard Mail Address 12104 Palisades Pkwy

City, State & Zip Austin, Texas 78732

Printed Gregory Millard Phone 512-848-8231 Date 11-10-2014

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Gregory Millard Mail Address 12104 Palisades Pkwy

City, State & Zip Austin, Texas 78732

Printed Gregory Millard Phone 512-848-8231 Date 11-10-2014

ATTACHMENT "A" 1604 WEST LANE

Waterloo Surveyors Inc. J14187
SURVEY PLAT

LOT 9

LEGAL DESCRIPTION:
LOT 8, LAKE AUSTIN VILLAGE,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT OF
RECORD IN VOLUME 19,
PAGE 88 OF THE PLAT
RECORDS OF TRAVIS
COUNTY, TEXAS

State of Texas:
County of Travis:

The undersigned does hereby
certify that this survey was
this day made on the property
legally described hereon and is
correct, and this survey complies
with the current Texas Society
of Professional Surveyors
Standards and Specifications for
a Category 1B & 5 Condition II survey.

And I certify that the property shown
hereon IS NOT within a special
flood hazard area as identified by the
Federal Insurance Adm. Department of
HUD Flood hazard boundary map
revised as per Map Number: 48453C0410H
Zone: X Dated: 09/26/08

Survey Dated: August 8, 2014

Thomas P. Dixon R.P.L.S. 4324

LOT 8 IS SUBJECT TO:
RESTRICTIONS AND EASEMENT
RIGHTS OF RECORD

19/88
10' Elec. Esmt.

LOT 8
0.15 ACRE

LOT 7

Elev. 98'
Found 1/2"
Iron Rod
as found
on the ground
Radius = 80.05'
Arc = 40.14' (40.00)
Chord = 39.72' (39.59')
S 14°24'34" W
(S 15°41' W)
(record call)

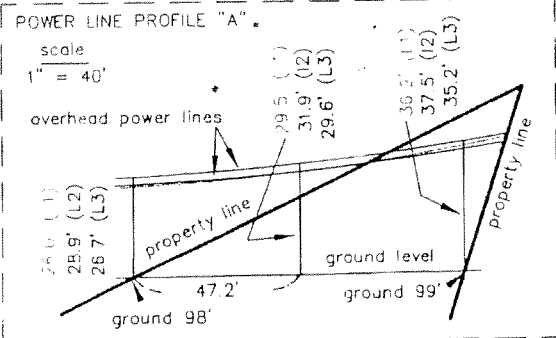
Irrigation
control valve

Found
Iron Rod
with/cap

water
meters

West Lane

NOTE:
LOT 8 IS SUBJECT TO
RESTRICTIONS AND
EASEMENT RIGHTS OF
RECORD



Copyright 2014

ATTACHMENT "G" 1604 WEST

LOT 9

Waterloo Surveyors Inc. J14187
SURVEY PLAT

LEGAL DESCRIPTION:
LOT 8, LAKE AUSTIN VILLAGE,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT OF
RECORD IN VOLUME 19,
PAGE 88 OF THE PLAT
RECORDS OF TRAVIS
COUNTY, TEXAS

State of Texas:
County of Travis:

The undersigned does hereby
certify that this survey was
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legally described hereon and is
correct, and this survey complies
with the current Texas Society
of Professional Surveyors
Standards and Specifications for
a Category 1B & 5 Condition II survey.

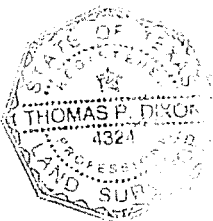
And I certify that the property shown
hereon IS NOT within a special
flood hazard area as identified by the
Federal Insurance Adm. Department of
HUD Flood hazard boundary map
revised as per Map Number: 48453C0410H
Zone: X Dated: 09/26/08

Survey Dated: August 8, 2014

[Signature]

Thomas P. Dixon R.P.L.S. 4324

LOT 8 IS SUBJECT TO:
RESTRICTIONS AND EASEMENT
RIGHTS OF RECORD



Travis County
Parks Department

SCALE
1" = 20'

BENCH MARK
Set Spindle
in pole, assumed
elevation 100'

10' OFF OUTERMOST
LINE

Found 1/2"
Iron Rod
concrete pad

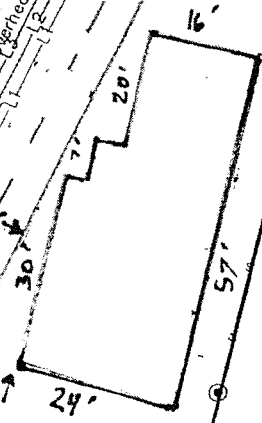
power line
elevation 121'
ground 99'

power poles
9/88
5' Utility Esmt.

Found 1/2"
Iron Rod

BEARING BASE (146.58')
S 75°17'40" W 146.35'

N 77°33'24" W 69.68'
overhead electric



N 89°19'01" E 111.09'
(S 89°09'34" E 111.07')

LOT 7

19/88
10' Elec. Esmt.

Elev. 98'
Found 1/2"
Iron Rod
as found
on the ground

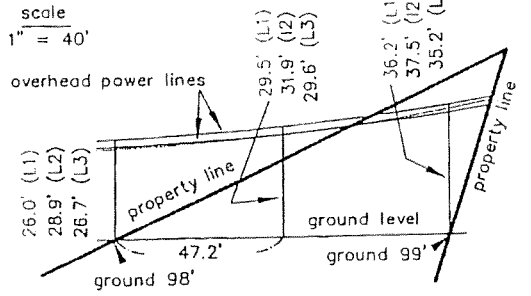
Radius = 80.05'
Arc = 40.14' (40.00')
Chord = 39.72' (39.59')
S 14°24'34" W
(S 15°41' W)
(record call)

Found
Iron Rod
with/cap

water
meters

West Lane

POWER LINE PROFILE "A"



NOTE:
LOT 8 IS SUBJECT TO
RESTRICTIONS AND
EASEMENT RIGHTS OF
RECORD.

Copyright 2014

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, December 8, 2014

CASE NUMBER: C15-2014-0171

☒ Y ☐ Jeff Jack - Chair
☐ - ☐ Michael Von Ohlen
☒ Y ☐ Melissa Whaley Hawthorne - Vice Chair **Motion to PP to Jan 12, 2015**
☒ Y ☐ Sallie Burchett **2nd the Motion**
☒ Y ☐ Ricardo De Camps
☐ - ☐ Brian King
☒ Y ☐ Vincent Harding
☒ Y ☐ Will Schnier - Alternate
☒ Y ☐ Stuart Hampton - Alternate

OWNER/APPLICANT: Gregory Millard

ADDRESS: 1604 WEST LN

VARIANCE REQUESTED: The applicant has requested a variance(s) from Section 25-2-492 (D) (Site Development Regulations) to:

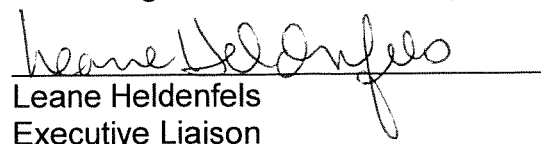
- A. decrease the front yard setback from 40 feet (required) to 15 feet (requested) and;
B. decrease minimum lot width from 100 feet (required) to 40 feet (requested) in order to construct a single family home in a "LA", Lake Austin zoning district.

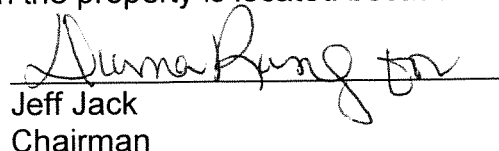
BOARD'S DECISION: The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to January 12, 2015, Board Member Sallie Burchett second on a 7-0 vote; **POSTPONED TO January 12, 2015.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information, contact the City of Austin's land development process unit at web.southwest.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will be included in the public record of this case.

Case Number: C15-2014-0171, 1604 West Lane

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, December 8th, 2014

Robert Anderson

Your Name (please print)

☒ I am in favor
☐ I object

1504 & 1506 East LN

Your address(es) affected by this application

[Signature]

Signature

12-5-2014

Date

Daytime Telephone: (512) 507 5926

Comments: I fully support the variance requested

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to leana.heldenfels@austintexas.gov

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Case Number: C15-2014-0171, 1604 West Lane

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, December 8th, 2014

GARY ATTA

Your Name (please print)

(Lots 3133) 1601 West Ln, + lot 34 West Ln

Your address(es) affected by this application

Can Attal

Signature

Date

Daytime Telephone: *512 452 3322*

Comments:

We are in full support of granting the requested variance.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

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Case Number: C15-2014-0171, 1604 West Lane

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, December 8th, 2014

Your Name (please print)

☒ I am in favor
☐ I object

GARY ATTA

Lot 3133/1601 West Ln. + Lot 34 West Ln.

Your address(es) affected by this application

Can Attal

Signature

Date

Daytime Telephone: *572 452 3322*

Comments:

We are in full support of granting the requested variances.

Note: any comments received will become part of the public record of this case

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to leane.heldenfels@austintexas.gov

1604 West Lane, Austin, Texas 78732

To: City of Austin Board of Adjustment Members:

I just wanted to take a moment to explain where I am at in the development of the lot located at 1604 West Lane (Lot 8 Lake Austin Village Estates). I purchased the lot in the summer of 2013 with the intention of building a structure with a garage on the first floor and a small residence located above (attachment K is a representation of the type of structure, however is not intended to be an exact rendering). When I purchased the lot there was a small wooden building on the property that was approximately 400 sq. ft. The structure had previously been used as a primary residence; however, the structure had not been maintained and succumbed to termite and water damage.

The structure has since been removed. The lot was originally platted (attachment B) in 1964 and is approximately .15 acres (7812 sq. ft.) with a front lot width of 40' (arc = 40.14', chord = 39.72'). The original deed (attachment H) from 1964 specified a 15' front setback.

The lot is currently zoned LA, however I had been previously told by City of Austin Personnel on several occasions that I would be subject to SF-2 setbacks because the lot does not meet the LA minimum size requirement of 43,560 sq. ft. as required by 25-2-492 (attachment L). On November 21, 2014, I was notified by Ms. Heldenfels that the LA section of the Zoning ordinance was changed effective July 2014 and the exemption for lot design was taken out - so now all LA lots must meet LA requirements regardless of the size. Based on the small size and unique shape of the lot in addition to the overhead power lines running above the lot I am requesting a variance to allow a reduction from a 40' front setback to a 15' front setback and the reduction of the minimum front lot width from 50' to 40' (arc = 40.14', chord = 39.72').

At the time I purchased the lot there were Austin Energy (AE) power lines running over the residence. After a significant amount of legal research and conversations with AE, it was determined that AE had no recorded utility easement for the power lines. AE advised that if challenged in court they would assert a prescriptive easement based on the length of time power lines had been in place. I briefly explored the option of relocating or burying the power lines, however, the expense was prohibitive. I then worked with AE to have the overhead lines narrowed. AE developed a plan that switched the cross member supporting the power lines from a large wood timber (attachment C) to a narrow profile arm (attachment D). Although this change seems minor I gained approximately two feet of building width. As a prerequisite of this project I granted AE a recorded utility easement that crosses the lot (attachment E). In addition I paid for the cost of the utility construction (attachment F).

Based on the trajectory of the existing overhead power lines a reduction of the front setback from 40' to 15' would allow me a significant amount of building area (width) to place the proposed structure (attachment I & J). The proposed structure will have an approximate footprint of 24' (width) x 36' (depth) (attachment G). In addition to the extra building area allowing the

1064 West Lane, Austin, Texas 78732

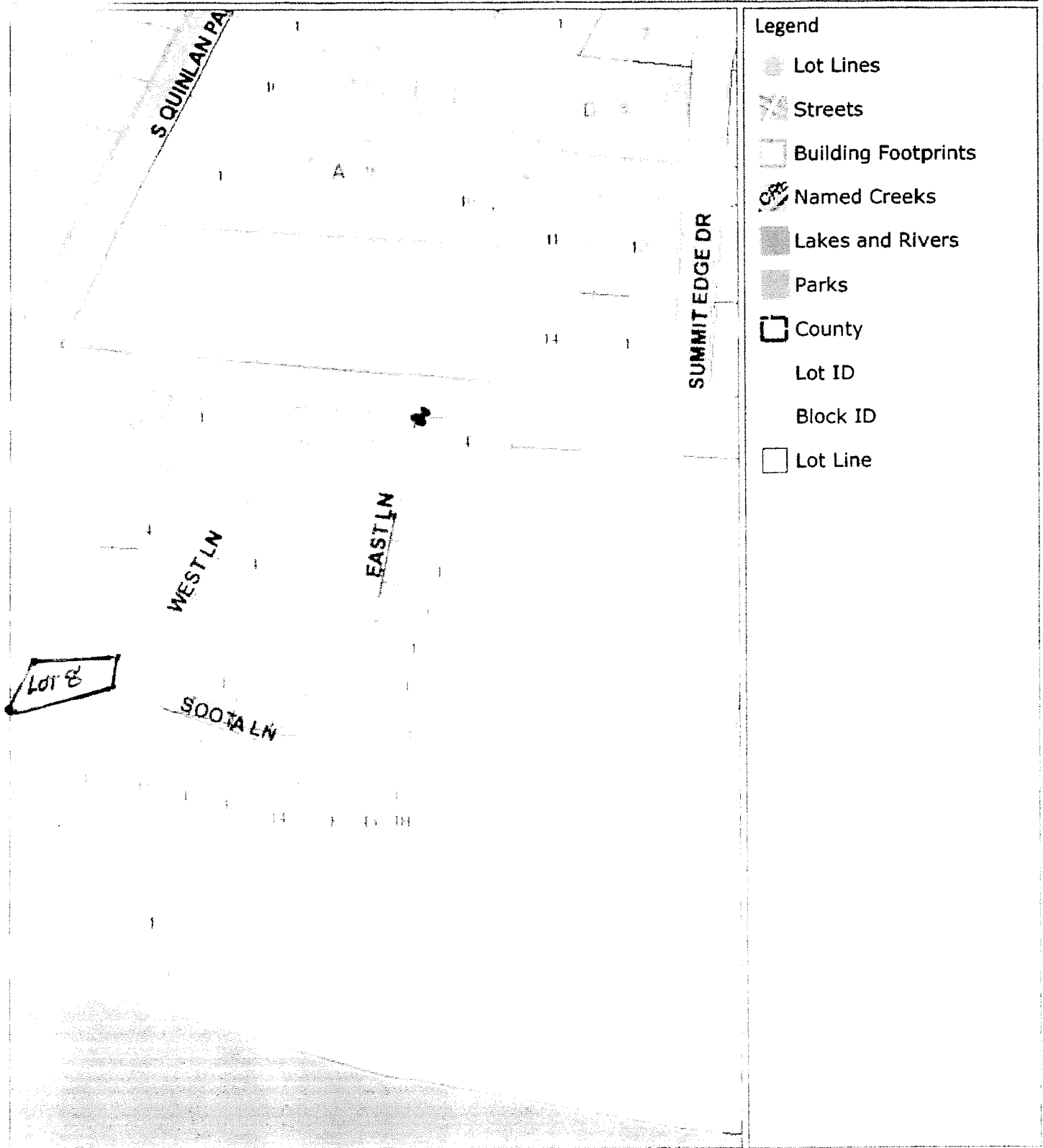
structure to be built with a 15' setback would leave enough room (900 sq. ft.) for the septic drain field to be placed behind the residence and stay out of the AE utility easement. AE has advised that they would most likely grant me a license to place a portion of the drain field in the newly granted utility easement. I was hoping to avoid this and have the drain field positioned entirely outside the AE easement. I have consulted with an environmental engineering firm to discuss drain field options.

The lot currently has no neighbors on any side. The rear of the lot adjoins the property that makes up Quinlan Park owned by Travis County, all lots to the south and east (lots 9-18) were bought by the Lake Austin Spa and fenced off, the lot across the street (lot 32) is a septic drain field for the duplex located on lot 33, and lots 6 & 7 to the north are currently vacant.

I have spoken personally to the two property owners whose lots are in the immediate vicinity of my lot. Both Gary Attal (lots 31-34) and David Keymer (lots 6&7) gave me their verbal approval for the requested variance.

The development of Lake Austin Village has varied over the years with no standardization to the neighborhood. Allowing me the requested variance would not affect the character of the neighborhood. I hope after a thorough review of the documents you will agree and grant a me a variance allowing a reduction of the front setback to 15' as well as reduction in the width of the front building line to 40' (arc = 40.14', chord = 39.72'). Thank you for your consideration.

CITY OF AUSTIN DEVELOPMENT WEB MAP



THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.

1604 WEST LANE

CITY OF AUSTIN DEVELOPMENT WEB MAP



Legend

- Lot Lines
- Streets
- Building Footprints
- Named Creeks
- Lakes and Rivers
- Parks
- County

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88

Let's hope, BT, that you
 will not permit this to
 cause you any loss.

ALL LAND IN JOHN JACKSON SURVEY NO. 30

TOTAL AREA	7.25 ACRES
AREA IN BRASS	<u>1.24 "</u>
NET AREA	6.01 ACRES

STATE OF TEXAS:

COUNTY OF TRAVIS:; KNOW ALL MEN BY THESE PRESENTS

NOTE 1: CHARLES B. HARR, OWNER OF CERTAIN TRACTS OF LAND OUT OF THE JOHN JACOBSON SURVEY NO. 36, IN IDAHO COUNTY, IDAHO, TRANSFERRED TO ME BY DEEDS RECORDED IN VOL. 2608, PAGE 490, AND VOL. 2749, PAGE 271, OF THE DEED RECORDS OF IDAHO COUNTY, IDAHO, JOINED BY THE FIRST FEDERAL SURVING AND LOAN ASSN. OF AMERICA, LEIN HOLDEN, A CORPORATION ORGANIZED UNDER THE LAWS OF THE UNITED STATES OF AMERICA, ACTING THROUGH ITS FIRST-PRIORITY, CLAUDE A. FRIEDMAN IN RECENT DEEDS THIS AS WAS SUPERVISION OF A PART OF SAID TRACTS TO BE

AMSD 40

LABE - 308713 - 716148

AND WE DO HEEDY OBLIGATE TO THE PUBLIC ALL EVIDENCE AND EASEMENTS IN-
HERED.

WITNESS OUR HANDS ON THIS THE 30th DAY of April

Charles B. Ward
CHARLES B. WARD

FIRST FEDERAL JUDGE AND LEAST JUDGE
OF ALBANY

By Charles A. Phares
CLAUDE A. PHARES VICE-PRO

STATE OF TEXAS:

COUNTY OF TRAVIS: Before me, the undersigned authority, on this day, personally appeared CHARLES B. HARRIS, known to me to be the person whose name is signed to the foregoing and he acknowledged that he signed it for the purposes and consideration therein expressed; he also appeared CLYDE A. PHILLIPS, Vice-President of the First Federal Savings and Loan Assn. of Austin, Texas, to be the persons and officers of said corporation, and he acknowledged to me that he had signed it as the act and deed of the said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 30th DAY OF
Garcia A. C. 1964.

FILED FOR RECORD AT 1032 S'LOAN, Ar, W., ON THE 4th DAY OF May 4. 3. 1964

EMILIO LINDBER, CLERK OF THE COUNTY COURT, TARRANT
COUNTY, TEXAS, By Burt G. Smith DEPUTY.

I HEREBY CERTIFY THAT I HAVE ENDORSED THE PROPER-
TY SHOWN HEREIN AND SUBMITTED IT IN ACCORDANCE TO
RECOMMENDED ENGINEERING PRACTICE.

NO HOUSE IN THIS SUEDEPILION MAY BE USED FOR HUMAN HABITATION UNTIL IT IS DAMAGED TO A SUITABLE DEGREE DISPOSED UNIT APPROVED BY THE HEALTH UNIT DURING JURISDICTION.

THE APPROVAL OF THIS PLAN BY THE COMMISSIONER'S COUNCIL OF TAVIS COUNTY, IOWA, IS HEREBY SOLICITED. THE SAID COUNCIL HAS THE BELIEF TO BE HELD AND STATED, ROAD, SURVEY, BRIDGE OR ANY OTHER STRUCTURE. ALL REGISTRATION OF PUBLIC UTILITY, BRIDGES, STREETS, DRAINAGE OR OTHERWISE BE CON- STITUTED BY THE ORDER OF THE COMMISSIONER OF THE DEPARTMENT OF THE STATE. ALL PUBLIC REGISTRATION MUST BE IN ACCORD WITH THE PROVISIONS OF THE LAWS. IN THE COMMISSIONER'S COUNCIL OF TAVIS COUNTY, IOWA, IS OF THE DEPEND- ENT UNIT MAKING JURISDICTION. ALL FINISHED REGISTRATION MUST OF APPROVAL BY THE GOVERNMENT UNIT MAKING JURISDICTION.

STATE OF TEXAS:

COUNTY OF TAYLOR:
I, ELMIE LINDEN, CLERK OF THE COUNTY COURT OF SAID C
TY, DO HEREBY CERTIFY THAT THE COMMISSIONER'S COURT OF TAYLOR COUNTY, T
ORDERED ON WHICH AUTHORIZING THE SELLING OF RECORD OF THIS PLAT TO THE U

day of May A. U. 1964, and that the said order is recorded
the minutes of said court in Book 3, Page 358.

WITNESSES MY HAND AND THE SEAL OF THE COUNTY COURT ON THIS THE 4TH
DAY OF May A. D. 1964.

EMILIE LINDBERG, Clerk of the County Court, Jackson County, N.J.
By P. Layden Deputy.


STATE OF TEXAS:

COUNTY OF TRAVIS: I, ELLIS LINDBERG, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, with its designations of authentication, was filed for record in my office on

the 4th day of May A. D. 1964, at 10⁰⁰ o'clock, AM,
W., and only occurred on the 4th day of May A. J. 1964
at 35⁰⁰ o'clock AM. in the flat between of said County, in 2000

WITNESS MY HAND AND THE SEAL OF THE COUNTY CLERK THE DAY LAST WRITTEN

WITNESS MY HAND AND THE SEAL OF THE COUNTY CLERK THE DAY LAST WRITTEN

NOTARY PUBLIC
C. L. LINDSEY, CLERK OF THE COUNTY COURT, TALLADEGA COUNTY, TEXAS
By Beth J. Lindsey DEPUTY. 



LAKE AUSTIN
VILLAGE

2000 12 30

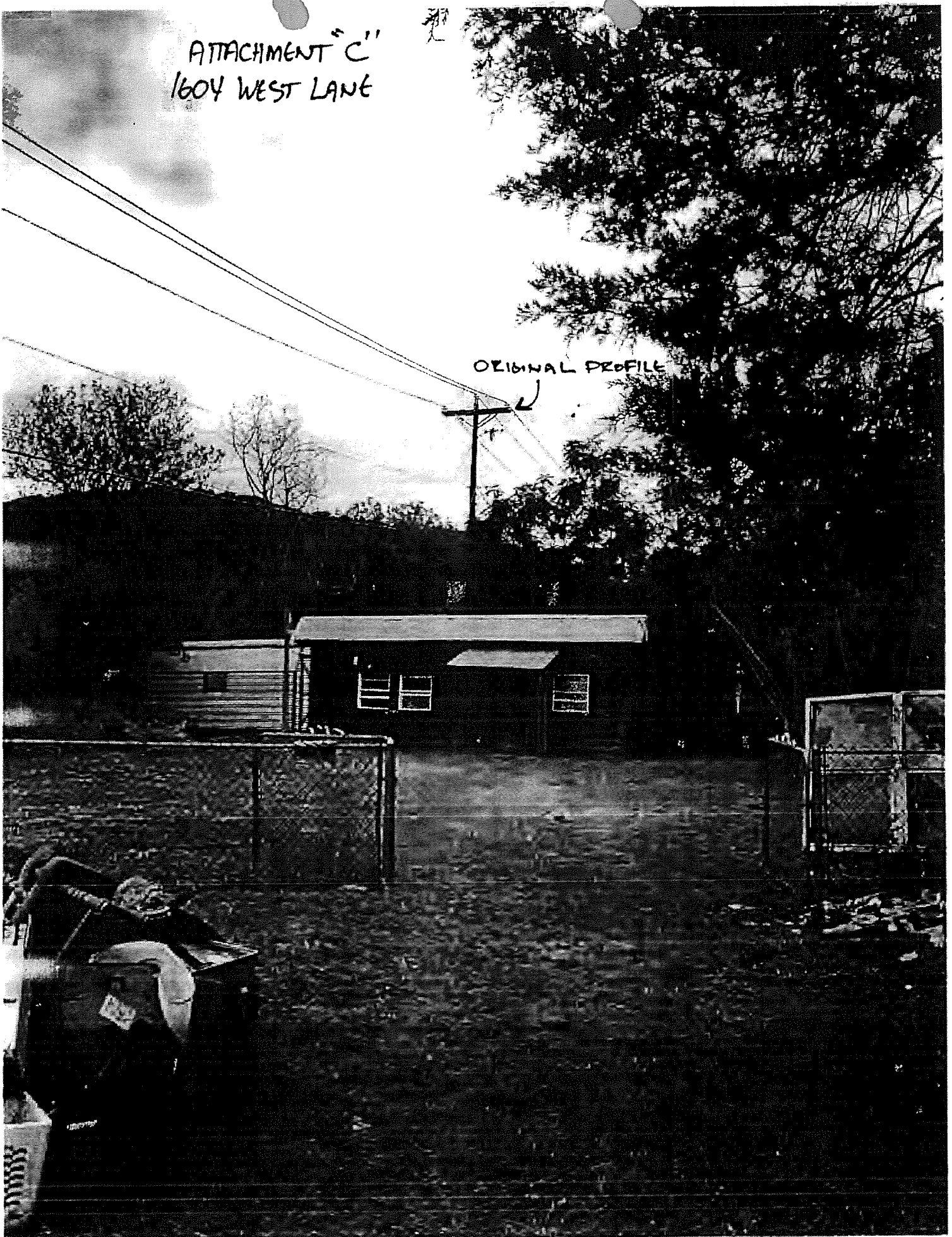
0 1000 2000 3000 4000

2000000000

	105° 10'	106° 10'	107° 00'	107° 00'
1	38.05	80.65	38.00	85.00
2	40.00	106.55	75.00	85.00
3	48.00	128.99	49.50	120.21
4	50.00	148.32	57.57	133.51

ATTACHMENT "C"
1604 WEST LANE

ORIGINAL PROFILE



ATTACHMENT "D"
1604 WEST LANE

NARROW PROFILE ARMS



ATTACHMENT "E" 1604 WEST LANE



City of Austin

Austin's Community-Owned Electric Utility

www.austnenergy.com

Town Lake Center • 721 Barton Springs Road • Austin, Texas • 78704

March 6, 2014

Mr. Gregory Millard
12104 Palisades Parkway
Austin, Texas 78732

Subject: Electric Utility Easement – 1604 West Lane

Dear Mr. Millard:

Attached is the Electric Utility Easement for the above-described Project. Please sign and notarize the document and return it to me at the above address, along with a check in the amount of \$50.00, payable to the Travis County Clerk for the recording fee. **If submitting a personal check, please put your Driver's License number and a telephone number on the check.**

Should you have any questions regarding the Easement, please contact me at (512)322-6237.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wendi Broden", with a long horizontal flourish extending to the right.

Wendi Broden
Public Involvement/Real Estate Services

Attachment

Easement No. _____
File No. _____
Address: 1604 West Lane
Initials: WEB

ELECTRIC DISTRIBUTION UTILITY EASEMENT

STATE OF TEXAS
COUNTY OF TRAVIS

DATE: _____

GRANTOR: GREGORY MILLARD

GRANTOR'S ADDRESS: 12104 Palisades Parkway
Austin, Texas 78732

GRANTEE: THE CITY OF AUSTIN

GRANTEE'S ADDRESS: P. O. Box 1088
Austin, Travis County, Texas

PROPERTY: Lot 8, of LAKE AUSTIN VILLAGE, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 19, Page 88, of the Plat Records of Travis County, Texas. Being the same property conveyed to GRANTOR by General Warranty Deed, recorded under Document Number 2013139706, Official Public Records, Travis County, Texas.

GRANTOR, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, does hereby grant, sell and convey to GRANTEE an easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and shown on Exhibit B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric distribution and telecommunications lines and systems and all necessary or desirable appurtenances and structures (the "Facilities"), and to permit telephone and cable television lines and systems to be placed, constructed, reconstructed, installed, operated, repaired, maintained, inspected, replaced, upgraded or removed (in whole or in part), and maintained in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit GRANTEE unimpeded access to the Facilities.

GRANTOR may not place, erect or maintain in the Easement (a) any permanent structures, including, but not limited to habitable structures such as homes or offices, (b) any structure of any kind in such proximity to the Facilities as would constitute a violation of the National Electric Safety Code in effect at the time the structure is erected, nor, (c) without Grantee's prior written consent, any structure, including, but not limited to drainage, filtration or detention ponds, or make changes in grade, elevation, or contour of the land which would impair Grantee's access to its Facilities in the Easement for the purposes stated above.

Upon completion of initial construction or any subsequent work in the Easement, GRANTEE shall repair any material damage to the Property so as to restore same to substantially the same condition it was in prior to commencement of the work, but GRANTEE shall not be required to replace any trees, shrubbery or obstructions which GRANTEE removed due to interference with its use of the Easement.

TO HAVE AND HOLD the same perpetually unto GRANTEE and to its successors and assigns, together with the right and privilege at any reasonable time or times to enter upon and cross the Property to the extent necessary for the foregoing purposes.

GRANTOR, does hereby covenant and bind itself, and its heirs, successors, assigns and legal representatives to warrant and forever defend all and singular the Easement unto GRANTEE, and its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Such rights and Easement shall be covenants running with the land and shall be binding upon the GRANTOR, its personal representatives, heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the date first above stated.

GRANTOR:

GREGORY MILLARD

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on this _____ day of _____,
2004, by GREGORY MILLARD.

Notary Public, State of Texas

Notary's Printed or Typed Name

Notary's Commission Expires

AFTER RECORDING RETURN TO:
City of Austin – Austin Energy
701 Barton Springs Road
Austin, Texas 78704
Attn: Melody Giambruno
Electric Distribution Utility Easement
Legal Review 06/15/07



EXHIBIT "A"

SURVEY PLAT OF A 0.028 ACRE (1232 SQUARE FEET) TRACT OF LAND, BEING A 15 FOOT WIDE STRIP OF LAND AND EASEMENT OUT OF AND A PART OF LOT 8, LAKE AUSTIN VILLAGE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 88, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.028 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING at a point for the north corner of the herein described 0.028 acre tract of land (Texas State Plane Grid Coordinates, Texas Central Zone 4203 N(Y) 10091322.268, E(X) 3055902.817 NAD83) same being a point on the southeast line of that certain five foot utility easement as show on said plat of Lake Austin Village and point within the bounds of said Lot 8, from this point a one-half inch iron rod found for the northwest corner of the said Lot 8, same being the southwest corner of Lot 7, of the said Lake Austin Village and a point on the east line of that called 5.8 acres of land described to Travis County, Texas (Mary Quinlan Park) in that certain Warranty Deed as recorded in Volume 608, Page 271, of the Deed Records of Travis County, Texas bears: North 14°52'28" East, a distance of 21.21 feet crossing over the said Lot 8;

THENCE South 77°33'24" East, crossing over the said Lot 8 a distance of 94.59 feet to a point for the east corner of the herein described 0.028 acre tract of land, same being point on the common dividing line of the said Lot 8 and Lot 9, of the said Lake Austin Village and from this point a one-half inch iron rod found for the southeast corner of the said Lot 8, same being the northeast corner of the said Lot 9 and a point on the curving west right of way line of West Lane, a public road in Travis County, Texas, bears: North 75°17'40" East, a distance of 14.62 feet;

THENCE South 75°17'40" West, along the common dividing line of the said Lot 8 and the said Lot 9 a distance of 32.87 feet to a point for the south corner of the herein described 0.028 acre tract of land, same being a point on the common dividing line of the said Lot 8 and the said Lot 9 and from this point a one-half inch iron rod found for the common west corner of the said Lot 8, and the said Lot 9, bears: South 75°17'40" West, a distance of 98.70 feet;

THENCE North 77°33'24" West, crossing over the said Lot 8 a distance of 69.66 feet to a calculated point for the west corner of the herein described 0.028 acre tract of land, same being a point on the southeast line of the said five foot utility easement as show on said plat of Lake Austin Village and point within the bounds of said Lot 8, from this point the last said one-half inch iron rod found for the common west corner of the said Lot 8, and the said Lot 9, bears: South 34°25'06" West, a distance of 48.57 feet crossing over the said Lot 8, same being a point on the southeast line of the said 5.8 acres of land;

THENCE North 28°30'34" East, coincident with the southeast line of the said five foot utility easement as show on said plat of Lake Austin Village and crossing over the said Lot 8, 15.61 feet

to the POINT OF BEGINNING and containing 0.028 acres or 1232 square feet of land more or less.

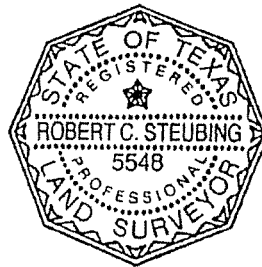
BASIS OF BEARINGS: GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83.

Reference the attached sketch marked **EXHIBIT "B"**.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in February 2014.

Prepared By: **AUSTIN ENERGY**

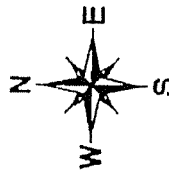
Robert C. Steubing 02/28/2014
Robert C. Steubing
Registered Professional Land Surveyor No. 5548



LEGEND:

- APPROPRIATE IRON ROD FOUND
- 1/2" IRON ROD FOUND
- POB POINT OF BEGINNING
- PRCT PLAT RECORDS TRAVIS COUNTY
- OE- EXISTING OVER HEAD ELECTRICAL
- EXISTING POLE

SURVEY PLAT OF A 0.028 ACRE (1232 SQ. FT) 15 FOOT WIDE TRACT OF LAND BEING A PROPOSED CITY OF AUSTIN EASEMENT AND BEING OUT OF LOT 8, LAKE AUSTIN VILLAGE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 19, PAGE 88, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



NUM	BEARING	DISTANCE
L1	N75°17'40"E	14.62

Travis County, Texas
 Mary Quinlan Park
 Warranty Deed
 608/271 DRCT
 5.8 Acres

POB GRID COORDINATES
 TEXAS CENTRAL ZONE 4203
 NORTH AMERICAN DATUM 83
 N(Y) 10091322.268
 E(X) 3055902.817

LOT 7

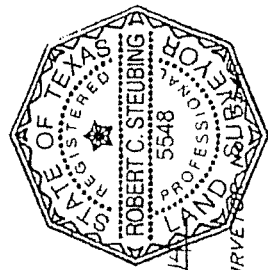
LOT 8

LOT 9

WESTLANE

LAKE AUSTIN VILLAGE
 VOL 19 PG 88 PRCT

0.028 Acres
 1232 Sq. Ft.



AS SURVEYED BY:
 AUSTIN ENERGY

Robert C. Steubing
 ROBERT C. STEUBING
 REGISTERED PROFESSIONAL LAND SURVEYOR

EXHIBIT "B"

SURVEYED ON THE GROUND IN FEBRUARY 2014
 DRAWING: F:\SURVEYING\DISTIBUTION\MISC-DIST 2014\1604 WEST LANE.DWG BEARING BASIS: GRID NORTH, TX STATE PLANE COORD., NAD 83, TEXAS CENTRAL ZONE 4203

Millard, Gregory M.

From: Lambert, David <David.Lambert@AustinEnergy.com>
Sent: Thursday, June 26, 2014 3:04 PM
To: Millard, Gregory M.
Subject: Recorded Electric Easement
Attachments: 1604 West Lane Easement Receipt.pdf

Mr. Millard,

Attached is a copy of the recorded document for your records.
I've also attached a copy of the receipt from the County Clerk for the recording fees.

Thank you for your assistance,

Dave Lambert
Planner Senior
Austin Energy
2500 Alamo Heights Dr, Ste. 1007.10
ph. 512.322.6109

Please note: E-mail correspondence to and from the City of Austin is subject to requests for required disclosure under the Public Information Act.

104/111 COUNTY CLERK
 1000 E. 100th St.
 Tulsa, Ok. 74114-1115
 (512) 354-7188

FBI FILE # 73304
DATE 02-07-1974 BY SP-10 JFB

7018-04-7967
F00180201
7018-04-7967
F00180201

1-500 1000 5000 10000 50000 100000
 1000000 5000000 10000000 50000000 100000000
 1000000000 5000000000 10000000000 50000000000 100000000000

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF POLITICAL SCIENCE
708 TOWER HALL
CHICAGO, ILLINOIS 60637

中国地质大学(北京)
 地质研究所 地质工程研究所
 地址: 北京市海淀区学院路29号
 邮编: 100083
 电话: 010-68993111
 传真: 010-68993111
 电子邮箱: geol@geol.ac.cn

ATTACHMENT "F" 1604 West Lane

Work Request Charges Quotation Austin Energy

To: GREGORY MILLARD
GREGORY MILLARD
1604 WEST LN
Relocate OH lines

Quote Number: NO1250902
Designer Name: BOXTON, JAMES
Description: COST TO REPLACE OVERHEAD 8 FEETWOOD
ARM CONSTRUCTION WITH NARROW
PROFILE CONSTRUCTION ON TWO POLES.

Quote Date: 3/11/2014
Preferred Option: Yes
No. Payments: 1
Project:

Quotation Details

Description	Refundable?	Unit Cost	Quantity	Total	Due Before Work	Paid
Time & Materials	No	1,414.52	1.15	1,626.70	Y	

Charges Due Before Work Starts: 1,626.70
Tax: 0.00

Subtotal: 1,626.70

Charges Due On Completion: 0.00
Tax: 0.00

Subtotal: 0.00

Total Charges: 1,626.70
Total Tax: 0.00
Total Including Tax: 1,626.70

CITY OF AUSTIN, TEXAS RECEIPT FOR PAYMENT OF FUNDS

NO. 00079144

DATE RECEIVED 4-28-14
RECEIVED FROM Gregory + Christina Millard \$ 1,626.70
IN PAYMENT FOR Change Overhead arm construction to Narrow Prof
AMOUNT VERIFIED BY 125090 CITY OF AUSTIN TEXAS

XXXXXX	FUND	AGENCY	ORG	SUB ORG	ACTV	REV/ OBJT	WORKORDER	REPT CATG	B/S ACCT	AMOUNT
HOW PAID	XXX	XXX	XXXX	XX	XXXX	XXXX	XXXXXXXX	XXXX	XXXX	XXXXXX
CASH <input type="checkbox"/>	3250	1107	9900		454	4525	125090	2700		1,626.70
CHECK <input checked="" type="checkbox"/>										
MONEY ORDER <input type="checkbox"/>										

Austinenergy

Cynthia Kadka

ATTACHMENT "H" 1604 WEST LANE

THE STATE OF TEXAS

COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS, that we, Charles D. Hard and wife, Loretta L. Hard, of the County of Travis, State of Texas, hereinafter referred to as GRANTORS, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by A. C. Brodnax of Harris County, Texas, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged and for the payment of which no lien, either express or implied, is retained, have SOLD, GRANTED, and CONVEYED, and by these presents do SELL, GRANT, and CONVEY unto A. C. Brodnax, all of the following described property being situated in Travis County, Texas, to-wit:

Lot Number Twenty-Three (23) of Lake Austin Village Subdivision, in Travis County, Texas, according to the map or plat thereof of record in Book 19, Page 88, of the Plat Records of Travis County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said Grantee, his heirs and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto the said GRANTEE, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance, however, is made subject to all valid easements affecting the use of said property as this date reflected by the records of Travis County, Texas, and is subject to the following restrictions affecting the use of the property herein conveyed, to-wit:

1. No building shall be erected or maintained on any lot in said sub-division other than a private residence and a private garage for the sole use of the owner or occupant.
2. No old, used, existing building or structure of any kind nor any part of an old, used, existing building or structure shall be moved on, placed on, or permitted to remain on any lot. All construction shall be of new material.
3. No house trailers shall be placed on any lot, either temporarily or permanently. No temporary shacks or structures will be placed on any lot.

DEED RECORDS
Travis County, Texas

v.2633 n2 5

4. Any residence placed on lots 1 through 7; lots 33 through 36; lots 25 through 28, and lots 18 through 24, shall have a minimum of 650 sq. ft. of floor area exclusive of porches, stoops, balconies, open or closed carports, patios or garages. Any residence placed on lots 8 through 17; and lots 29 through 32 shall have a minimum of 800 sq. ft. of floor area exclusive of porches, stoops, balconies, open or closed carports, patios, or garages.
5. No building shall be erected, placed, or altered on any lot until the construction plans and specifications are approved by the Architectural Control Committee. This approval will be in writing and one copy of the plans and specifications will remain on file.
6. The Architectural Control Committee is composed of 3 members appointed by Charles O. Hard.
7. Minimum setback lines shall be as follows: No residential structure shall be located nearer the front line than 15 ft., or nearer the side street line than 10 ft., nor nearer the side or rear lot line than 5 ft. Detached garages, carports, and storage buildings may be located within 3 ft. of side lot line and within 5 ft. of rear lot line. The exception being lot 36, on which there is an existing structure. Construction must be completed within one year after starting.
8. No fence shall be permitted to extend nearer to any street than the setback lines indicated above.
9. No animals or birds, other than household pets shall be kept on any lot.
10. No noxious or offensive trade or any other activity shall be permitted on any lot that may be or become an annoyance to the neighborhood.
11. No structures, wires, poles, or other obstructions shall be located in violation of any such easements indicated on the plat.
12. No sign of any kind shall be displayed to the public view on any lot other than one sign of not more than 5 sq. ft. Advertising the property for sale or rent, or signs used by the builder to advertise the property during construction and sales periods.
13. No outside toilet or privy shall be erected or maintained in the subdivision. All sanitary plumbing shall conform with the minimum requirements of the Health Department of Travis County and the State of Texas.
14. No lot in this subdivision shall be sold to, or resided upon, other than members of the Caucasian race.

Said restrictions are to run with the land and are to be binding upon and observed by GRANTEE, his heirs and assigns, and may be enforced by any person owning an interest in any of the property situated in Lake Austin Village Subdivision. If any person or persons shall violate or attempt to violate these restrictions, it shall be lawful for any person owning any interest in Lake Austin Village Subdivision

to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate said restrictions, or any of them, either to prevent him or them from so doing or to correct such violations and to recover damages or other relief for such violation or violations.

Witness our hands at Austin, Texas, this 31st day of August, 1964.

E. L. Ke

E. L. KE. NOT. PUBLIC

Charles G. Hard
Charles G. Hard

Loretta L. Hard
Loretta L. Hard

THE STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Charles G. Hard and Loretta L. Hard, his wife, both known to me to be the person whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Loretta L. Hard, wife of the said Charles G. Hard, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Loretta L. Hard, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS the 31st day of August, 1964.

(NOTARY SEAL)

Paul F. Hume

PAUL F. HUME

Notary Public in and for
Travis County, Texas

FILED
Paul F. Hume
COUNTY CLERK
TRAVIS COUNTY, TEXAS

SEP 1 10 43 AM 1964

DEED RECORDS
Travis County, Texas

2633 REC 7 (S. H.)

ATTN: LOT I" 1604 WEST LANE

LOT 9

Waterloo Surveyors Inc. J14187
SURVEY PLAT

LEGAL DESCRIPTION:
LOT 8, LAKE AUSTIN VILLAGE,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT OF
RECORD IN VOLUME 19,
PAGE 88 OF THE PLAT
RECORDS OF TRAVIS
COUNTY, TEXAS

State of Texas:
County of Travis:

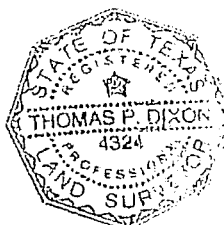
The undersigned does hereby
certify that this survey was
this day made on the property
legally described hereon and is
correct, and this survey complies
with the current Texas Society
of Professional Surveyors
Standards and Specifications for
a Category 1B & 5 Condition II survey.

And I certify that the property shown
hereon IS NOT within a special
flood hazard area as identified by the
Federal Insurance Adm. Department of
HUD Flood hazard boundary map
revised as per Map Number: 48453C0410H
Zone: X Dated: 09/26/08

Survey Dated: August 8, 2014

Thomas P. Dixon R.P.L.S. 4324

LOT 8 IS SUBJECT TO:
RESTRICTIONS AND EASEMENT
RIGHTS OF RECORD



POWER LINE PROFILE "A"

scale
1" = 40'

overhead power lines

26.0' (L1)
28.9' (L2)
26.7' (L3)

29.5' (L1)
31.9' (L2)
29.6' (L3)

36.2' (L1)
37.5' (L2)
35.2' (L3)

ground 98'

ground 99'

47.2'

property line

property line

Travis County
Parks Department

Found 1/2"
Iron Rod
concrete pad

BEARING BASE (145.58')
S 75°17'40" W 146.35'

power line
elevation 121'
ground 99'

N 77°33'24" W 89.88'
Overhead electric

BUILDABLE AREA
WITH LA SETBACKS

SCALE
1"=20'

BENCH MARK
Set Spindle
in pole, assumed
elevation 100'

power poles
9/88
5' Utility Esmt.

Found 1/2"
Iron Rod

N 89°19'01" E 111.09'
(S 89°09'54" E 111.07')

LOT 7

19/88
10' Elec. Esmt.

Elev. 98'
Found 1/2"
Iron Rod

as found
on the ground

(record coll)

Radius = 80.05'
Arc = 40.14' (40.00)
Chord = 39.72' (39.59')
S 14°24'34" W
(S 15°41' W)

Found
Iron Rod
with/cap

water
meters

West Lane

NOTE:
LOT 8 IS SUBJECT TO
RESTRICTIONS AND
EASEMENT RIGHTS OF
RECORD.

© Copyright 2014

www.WaterlooSurveyors.com - Austin, Texas - (512)481-9602

ATTACHMENT L 1604 WEST LAKE

§ 25-2-492 - SITE DEVELOPMENT REGULATIONS.

- (A) The table in Subsection (D) establishes the principal site development regulations for each zoning district.
- (B) Except as provided in Subsection (C), if a requirement of Subsection (D) conflicts with another provision of this title, the more restrictive regulation governs.
- (C) The requirements of the other provisions of this subchapter supersede the requirements of Subsection (D), to the extent of conflict.
- (D) Site development regulation table.

Source: Section 13-2-630; Ord. 990225-70; Ord. 991104-46; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11; Ord. 041118-57; Ord. 20100819-064.

	LA	RR	SF-1***	SF-2	SF-3
MINIMUM LOT SIZE (square feet):	43,560	43,560	10,000	5,750	5,750
MINIMUM LOT WIDTH:	100	100	60	50	50
MAXIMUM DWELLING UNITS PER LOT:	1	1	1	1	**
MAXIMUM HEIGHT:	35	35	35	35	35
MINIMUM SETBACKS:					
FRONT YARD:	40	40	25	25	25
STREET SIDE YARD:	25	25	15	15	15
INTERIOR SIDE YARD:	10	10	5	5	5
REAR YARD:	20	20	10	10	10
MAXIMUM BUILDING COVERAGE:	—	20%	35%	40%	40%
MAXIMUM IMPERVIOUS COVER:	*	25%	40%	45%	45%

* See Section 25-2-551 (*Lake Austin District Regulations*).

** See Section 25-2-556 (*Family Residence District Regulations*).

*** See Section 25-2-780 (*Conservation Single Family Residential Use*).

SF-1***

SF-2

SF-3

MINIMUM LOT SIZE (square feet):

43,560

43,560

10,000

5,750

5,750

MINIMUM LOT WIDTH:

100

100

60

50

50

MAXIMUM DWELLING UNITS PER LOT:

1

1

1

1

**

MAXIMUM HEIGHT:

35

35

35

35

See Revised

CASE# C15-2014-0171
ROW# 11249077
TAX# 0127580630

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

TCAD shows 0127580611)
- ch W/Addressing

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED
INFORMATION COMPLETED.

STREET ADDRESS: 1604 West Lane, Austin, Texas 78732

LEGAL DESCRIPTION: Subdivision - Lot 8 Lake Austin Village

Lot(s) 8 Block _____ Outlot _____ Division _____

I/We Gregory Millard on behalf of myself/ourselves as authorized agent for

Gregory Millard affirm that on Nov 10, 2014,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below and state what portion of the Land Development
Code you are seeking a variance from)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

I am requesting a front setback reduction from 25' to 15' and front lot width reduction

from 50' to 40' in order to construct a single family residence. Lot 8 has energized

overhead powerlines that make the small lot difficult to use the required setbacks.

in a LA district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence
supporting the findings described below. Therefore, you must complete each of the applicable
Findings Statements as part of your application. Failure to do so may result in your application
being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Originally Lot 8 was originally platted in 1964 with a 15' setback and a front lot width of 40'. Current City of Austin Zoning regulations require a 25' front setback and a 50' minimum lot width. Additionally Austin Energy (AE) has energized power lines over the property, limiting use of the lot.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

The overhead powerlines combined with the 25' front setback and 50' min front lot width severely limit what structure can be erected on the property. See survey (attachment A) for location of powerlines. Allowing a 15' front setback would make the lot more useable.

- (b) The hardship is not general to the area in which the property is located because:

Lot 8 is the only lot in the subdivision that has the overhaed powerlines running through the middle of the property. I have granted AE an easement for the powerlines. Additionally, I paid AE \$1600 to narrow the profile of the existing powerlines to gain 2' of building space.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Placing a residential structure on Lot 8 with a 15' setback will not alter the character of East Lane. There is no standardization to the development in Lake Austin Village.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

NA

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

NA

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

NA

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NA

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Greg Millard Mail Address 12104 Palisades Pkwy

City, State & Zip Austin, Texas 78732

Printed Gregory Millard Phone 512-848-8231 Date 11-10-2014

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Greg Millard Mail Address 12104 Palisades Pkwy

City, State & Zip Austin, Texas 78732

Printed Gregory Millard Phone 512-848-8231 Date 11-10-2014

ATTACHMENT "A" 1604 EAST LANE

LOT 9

Waterloo Surveyors Inc. J14187
SURVEY PLAT

LEGAL DESCRIPTION:
LOT 8, LAKE AUSTIN VILLAGE,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT OF
RECORD IN VOLUME 19,
PAGE 88 OF THE PLAT
RECORDS OF TRAVIS
COUNTY, TEXAS

State of Texas:
County of Travis:

The undersigned does hereby
certify that this survey was
this day made on the property
legally described hereon and is
correct, and this survey complies
with the current Texas Society
of Professional Surveyors
Standards and Specifications for
a Category 1B & 5 Condition II survey.

And I certify that the property shown
hereon IS NOT within a special
flood hazard area as identified by the
Federal Insurance Adm. Department of
HUD Flood hazard boundary map
revised as per Map Number: 48463C0410H
Zone: X Dated: 09/26/08

Survey Dated: August 8, 2014

Thomas P. Dixon R.P.L.S. 4324

LOT 8 IS SUBJECT TO:
RESTRICTIONS AND EASEMENT
RIGHTS OF RECORD



19/88
10' Elec. Esmt.

LOT 8
0.15 ACRE

LOT 7

Elev. 98'
Found 1/2"
Iron Rod

as found
on the ground

(record call)

Radius = 80.05'
Arc = 40.14' (40.00)
Chord = 39.72' (39.59)
S 14°24'34" W
(S 15°41' W)

Irrigation
control valve

Found
Iron Rod
with/cap

water
meters

West Lane

NOTE:
LOT 8 IS SUBJECT TO
RESTRICTIONS AND
EASEMENT RIGHTS OF
RECORD.

POWER LINE PROFILE "A"

scale
1" = 40'

overhead power lines

property line

ground level

ground 98'

ground 99'

47.2'

26.7' (L3)

28.9' (L2)

26.0' (L1)

31.9' (L2)

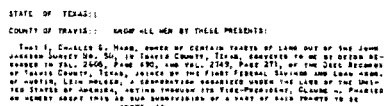
29.6' (L3)

36.2' (L1)

37.5' (L2)

35.2' (L3)

88



LAKE AUSTIN VILLAGE

AND WE DO HEREBY DEDICATE TO THE PUBLIC ALL STREETS AND EASEMENTS NOW

WITNESS OUR HANDS ON THIS THE 30th DAY OF April


 CHARLES E. HARD
 FIRST FEDERAL SAVINGS AND LOAN B'Y
 OF AUSTIN
 By 
 CHARLES A. THOMAS, VICE-PRES.

STATE OF TEXAS:

COUNTY OF TRAVIS: Before me, the undersigned authority, on this day, personally appeared CHARLES C. HAMD, and known to me to be the person whose name is signed to the foregoing and he acknowledged to me he signed it for the purposes and consideration therein expressed. He also acknowledged to me, Vice-President of the First Federal Savings and Loan Assoc. of Austin, Texas, known to me to be the person and officer of said corporation, and he acknowledged to me that he had signed it as the act and deed of the said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 30th DAY OF
Jan A. D. 1964.

NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

FILED FOR RECORD AT 10³² O'ALLEN, A. M., ON THE 4th
DAY OF May A. D. 1964

EMILIE LINDBERG, CLERK OF THE COUNTY COURT, TARRANT
COUNTY, TEXAS, By Bertie Lindberg DEPUTY.

April 24, 1964

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPER
 TO SHOWN HEREIN AND SUBMITTED IT IN ACCORDANCE TO
 RECOGNIZED ENGINEERING METHODS.

David R. Hainey
 DAVID HAINES, P. E., S. E., C. E.

DEPT. OF AGRICULTURE, P. O. BOX 110

NO HOME IN THIS SUBDIVISION MAY BE USED FOR HUMAN HABITATION UNTIL IT IS COMMITTED TO A SUITABLE SEPARATE DISPOSAL UNIT APPROVED BY THE HEALTH UNIT JURISDICTION.

THE APPROVAL OF THIS PLAN BY THE COMMISSIONER OF THE COURT OF TARRANT COUNTY, TEXAS, IN WHOSE JURISDICTION THE SAID BUILDING AND THE SECURITY TO BUILD AND ATTRACTION, ROAD, PAVEMENT, BRIDGE OR ANY OTHER STRUCTURE, ALL CONSTRUCTION OF PUBLIC UTILITIES, BRIDGES, STREETS, ALLEYS, TUNNELS OR BRIDGES SHALL BE UNDERTAKEN BY THE OWNER OF THE SUBDIVISION OR THE PURCHASER OF THE LANDS. ALL PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE SAID BUILDING AND SECURITY TO BE SUBMITTED TO THE COMMISSIONER OF THE COURT OF TARRANT COUNTY, TEXAS, BY THE PERSON OR PERSONS HAVING JURISDICTION, ALL REQUIRED CONSTRUCTION MUST BE APPROVED BY THE GOVERNMENT UNIT HAVING JURISDICTION.

STATE OF TEXAS:

COUNTY OF TARRANT: I, EMILY LINDEEN, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORDER AS ENTERED IN THE CLERK'S OFFICE OF SAID COUNTY, TEXAS, AND THAT THE SAID ORDER IS RECORDED IN THE MINUTES OF SAID COURT IN BOOK 3, PAGE 155.

WITNESSES MY HAND AND THE SEAL OF THE COURT
AT ST. LOUIS, MISSOURI, THIS 14th DAY OF
AUGUST, 1964.

EMILIE LEBLANC, Clerk of the County Court, Travis County, TEXAS.
By E. L. L. L. Deputy.

STATE OF IOWA:

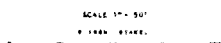
[illegible]

WITNESS MY HAND AND THE SEAL OF THE COUNTY COURT THE DAY LAST WRITTEN

MOVL. EMILIE INGERO, Clerk of the County Court, Travis County, Texas.
By Buckley JUDGE. RECEIVED

10

LAKE AUSTIN
VILLAGE

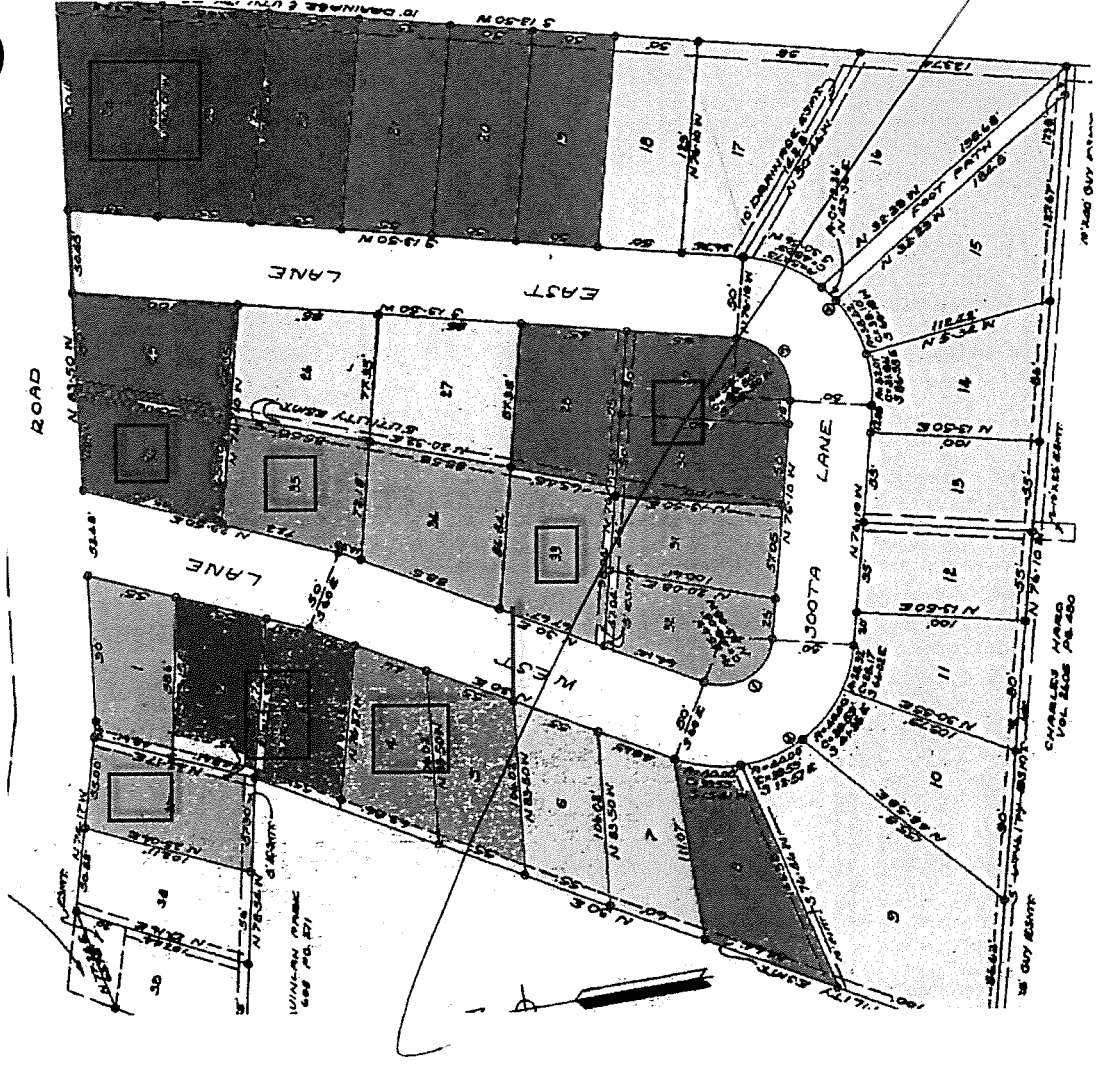


	1	2	3	4
I	106° 16'	106° 10'	94° 40'	90° 00'
E	30.65	89.45	15.00	85.00
T	40.00	106.56	25.00	85.00
C	40.46	128.00	45.50	120.21
A	85.60	140.32	57.97	133.51

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Lake Austin Village Plot Survey

- Each Color represents a different owner
- Squares represent homes
- Lots in Gray are owned by Lake Austin Spa and used for impervious cover / privacy



Presentation Identifier Goes Here